IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl.Misc.No.15040-M of 2007

DATE OF DECISION: MARCH 15, 2007

Navjot Singh @ Navjeet Singh @ Kalu

...PETITIONER

VERSUS

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: None for the petitioner.

...

On March 12, 2007, the case was adjourned on the request of counsel for the petitioner for today. Even today, no one is present on behalf of the petitioner.

The petitioner has filed this petition under Section 482 Cr.P.C. for quashing FIR No.144 dated 23.6.2001 registered under Sections 323/148/149 IPC at Police Station Banga, District Nawanshahr as well as the order dated 17.1.2005, whereby he has been declared Proclaimed Offender, on the ground that the matter has been compromised between the parties as well as on the ground that the co-accused of the petitioner have been acquitted in the aforesaid case.

I have gone through the contents of the FIR, impugned order dated 17.1.2005 as well as the judgment dated 27.4.2006 passed by JMIC, Nawanshahr, whereby the co-accused have been acquitted. The co-accused of the petitioner were not acquitted because of any compromise between the parties. They were acquitted by giving them the benefit of doubt as the prosecution could not prove the guilt against them. From the impugned

order, it appears that the petitioner was duly served through proclamation and in spite of that he did not appear, therefore, I do not find any ground to quash the impugned order, whereby the petitioner has been declared proclaimed offender.

As far as quashing of the FIR on the basis of compromise is concerned, it will be open for the petitioner to compound the said offences before the trial court after appearance, if the alleged offences are compoundable. However, I do not find any ground to quash the FIR in exercise of the inherent powers of this Court under Section 482 Cr.P.C. on the petition filed by the petitioner, who is a Proclaimed Offender.

Dismissed.

March 15, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE